



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 24 अप्रैल, 2006 / 4 वैशाख, 1928

हिमाचल प्रदेश सरकार

AGREEMENT UNDER SECTION 41 OF THE LAND ACQUISITION ACT, 1894

This Agreement made on 21st day of April, 2006 (Two thousand six) between Jaypee Himachal Cement Project (A unit of Jaiprakash Associates Limited), a Company incorporation under the Companies Act, 1956 and having its registered office at G Block, Surajpur Kansa Road, Greater Noida City, Utter Pradesh-201 306 through Sh. K. P. Sharma. President duly appointed by the Company as its Attorney (hereinafter called "the Company" which expression shall include its heirs, successors and assigns) of the first part and the Government of Himachal Pradesh through Sh. Shamsher Singh Thakur. Dy. Secretary (Industries) to the Government of Himachal Pradesh (hereinafter called the "Government", which expression shall include his successors in office and assigns) of the second part.

Whereas, upon the application of the Company for acquisition of land for the purpose of mining operation/establishment of Cement Plant/Township, the Government of Himachal Pradesh have agreed to acquire on behalf of the Company under the provisions of the Land Acquisition Act, 1894 (1 of 1894) the pieces of parcels of land described and delineated in the Schedule hereto annexed and situated in Villages, Baga, Karog, Bhalag, Sehnali and Samtyari, Tehsil Arki, Distt. Solan, Himachal Pradesh, measuring in total 1433.17 bighas having been shown to the satisfaction of the said Government that the proposed acquisition is needed for purpose of mining operation/establishment of Cement plant.

AND whereas the said Government have called upon the Company under the provision of Section 41 of the said Act to enter into the agreement with the Government hereinafter contained. Now, these presents witness and it is hereby agreed and declared as follows :

1. On demand, the Company shall and will pay to the said Government of Himachal Pradesh, the entire cost of acquisition, all and every compensation in respect of the said land tendered, paid or awarded and to be tendered, paid or awarded by the Collector under the Land Acquisition Act, 1894, or by the Court or Courts to which can appeal from the award of the said Court may be preferred and all costs, charges and expenses of the proceedings in the aforesaid Courts or otherwise incidental to the proposed acquisition or payable in respect thereof under the provisions of the said Act.
2. On demand, made by the said Collector the obligation of Company under the last preceding clause not being thereby limited the Company shall and will deposit with the said Collector such sum or sums of money as in his discretion of Collector may in anticipation estimate to be necessary for the purpose mentioned in the preceding clause.
3. On payment by the Company of all demands under the foregoing first clause, or in the discretion of the said Government of Himachal Pradesh (on deposit by the Company of all estimated amount as provided in the second clause) but not before possession shall have been taken under the provisions of the Land Acquisition Act, 1894, the said land by the Company and shall execute and do all such acts and deeds as may be necessary and proper for effectually vesting the same in the Company.
4. In case, the Company has offered the land and construction etc. in it as security with the previous sanction of the said Government of Himachal Pradesh for raising loans from Financial Institutions/Banks etc. within India and outside, the Government shall not have recourse to its rights or resumption of the land under this clause, during the period such loan is outstanding.
5. The said land shall be held the company for the purpose for which it is acquired or purpose legitimately connected as is herein before mentioned and without the sanction in writing of the said Government of Himachal Pradesh first had and obtained for no other purpose whatsoever.

Should the said land held by the Company is not used for the purpose for which is it acquired legitimately connected as is hereinbefore mentioned within a period of three years from the date on which possession of the said land shall have been given to the Company within such further period as in its discretion may be prescribed or allowed by the Government or should the land at any time thereafter not used for period of 36 consecutive months or the same is not required for the purpose or purpose provided for in the foregoing 4th clause and in any such case the said Government may summarily re-enter upon and take possession of the said land and together with all buildings thereon whether such buildings were erected before or after transfer of the land to the Company and thereupon the interest of the Company in the said land and buildings shall cease and determine.

The approval is subject to the condition that R. R. Plan & other environmental issues be implemented in letter & spirit by M/s Jaypee Himachal Cement Project (A unit of Jaiprakash Associates Ltd.)

IN WITNESS whereof the seal of the Company has been affixed and the Government hereinto set its hand and seal, the day, month and year hereinabove mentioned.

FOR AND ON BEHALF OF JAYPEE HIMACHAL CEMENT PROJECT,
(A unit of Jaiprakash Associates Ltd.).

Sd/-
(K. P. Sharma)
President

s : Jaypee Himachal Cement Plant
(Unit of Jaiprakash Associates Ltd.)
Vill. Malothi, P.O. Chhakoh,
Distt. Bilaspur (H.P.)-174 001.
Sd/-
(Vinod Sharma)
Vice President

Sd/-
(Sudhanshu Handa)
Asstt. Manager, JAL

FOR AND ON BEHALF OF GOVERNMENT OF
HIMACHAL PRADESH.

Sd/-
Dy. Secretary (Industries) to the
Government of Himachal Pradesh.

Sd/-
(B. S. Verma)
S.O. (Ind.)
Sd/-
(Kanti Prashad Sharma)
Supdt. (Ind.-A)

SCHEDULE DETAILS

For establishment of Cement Plant/Township

Distt.	Tehsil	Village	Khasra No.	Area	
				Bigha	Biswa
Solan	Arki	Baga	224	00	04
			265	03	02
			311	02	09
			355	03	05
Distt. Solan	Tehsil Arki	Village Karog	40	01	15
		Total : kitta/area	05	10	15

For Mining Operation

District	Tehsil	Village	Khasra No.	Area	
				Bigha	Biswa
Solan	Arki	Bhalag	3		04-00
			4		05-14
			5		21-05
			6		02-11
			7		01-13
			8		00-16
			9		02-05
			10		01-00
			11		15-15
			12		10-18
			13		00-03
			14		00-02
			16		00-05
			17		00-07
			18		00-09

		19	00-02.
		20	00-03
		21	00-17
		22	02-14
		23	08-00
		24	05-11
		25	01-00
		26	04-16
		28	02-04
		29	01-06
		30	01-06
		32	00-01
		33	00-03
		34	00-01
		35	01-07
		36	00-01
		37	00-13
		38	00-01
		39	00-02
		40	00-03
		41	00-01
		43	00-07
		44	00-03
		45	01-14
		46	00-04
		47	00-04
		48	00-01
		49	00-02
		50	00-02
		51	01-09
		52	00-04
		53	00-02

			54	00-04
			55	00-03
			56	03-14
			57	00-02
			58	00-07
			59	00-01
			61	01-17
			63	00-03
			65	00-05
			66	00-06
			67	00-01
			68	00-01
			69	00-05
			70	00-01
			71	00-01
			72	00-03
			73	00-03
			225/74	00-01
			226/74	01-00
			75	00-01
			76	00-04
			77	00-05
			78	00-05
			231/79	00-10
			232/79	00-07
			80	02-08
			81	01-00
			82	02-01
			82/1	00-01
			83	00-05
			84	00-14
			86	00-16

			87	00-03.
			88	00-01
1			89	00-01
			90	00-01
			91	00-03
			92	00-08
			93	01-09
			94	00-17
			95	00-13
			96	00-10
			97	01-02
			Kitta 90	125-10

District	Tehsil	Village	Khasra No.	Area	
				Bigha	Biswa
Solan	Arki	Baga	474/3		08-08
			149		08-18
4			150		07-00
			151		00-07
			152		02-11
			162		19-00
			163		07-19
			165		12-00
			166		05-16
			168		21-17
			169		00-04
			170		00-02
			171		00-03
			172		10-03
			207		05-06
			209		00-18

			210	01-05
			211	01-09
			212	05-16
			213	00-03
			402	23-14
			406	13-18
			408	09-07
			409	08-15
			410	11-11
			411	13-18
			412	05-00
			413	09-04
			415	13-01
			416	09-17
			418	29-08
			419	10-02
			420	16-10
			421	08-13
			423	11-04
			424	07-05
			425	07-01
			426	15-17
			427	10-03
			428	04-07
			429	09-17
			430	00-05
			431	09-19
			432	06-01
			435	05-09
			436	04-15
			437	06-00
			438	12-06

			439	11-05
			440	02-17
			441	00-15
			442	07-03
			443	02-15
			444	00-08
			445	18-04
			446	05-09
			447	07-17
			448	11-18
			449	13-05
			450	01-03
			451	01-03
			452	08-08
			453	09-04
			454	10-10
			455	04-02
			457	18-08
			Kitta 66	547-06

District	Tehsil	Village	Khasra No.	Area	
				Bigha	Biswa
Solan	Arki	Samtyari	106		04-00
			109		01-11
			110		00-03
			111		02-01
			113		03-19
			342/114		03-05
			343/114		02-09
			115		01-18
			116		07-07
			117		06-04

			118	08-07
			119	13-17
			121	13-03
			122	07-13
			123	00-14
			124	02-00
			126	04-02
			127	10-12
			344/128	01-12
			345/128	01-12
			346/128	01-00
			129	03-03
			130	06-04
			131	00-05
			132	02-12
			133	01-10
			134	02-10
			135	04-14
			348/137	00-12
			139	01-08
			176	05-01
			185	01-17
			186	02-09
			187	01-15
			188	02-02
			189	02-16
			190	00-08
			191	00-08
			192	02-17
			193	01-16
			194	00-02
			196	01-02

			205	02-17
			206	03-19
			207	00-08
			209	10-10
			210	02-09
			211	00-04
			212	01-14
			214	00-02
			215	00-04
			216	00-06
			217	02-17
			218	01-08
			219	04-10
			220	03-03
			221	04-11
			221/1	09-19
			222	10-02
			225	09-07
			335/226	09-03
			228	20-03
			229	29-02
			232	24-12
			235	04-10
			236	05-15
			237	08-14
			240	11-15
			241	04-18
			242	14-00
			243	06-16
			244	07-08
			245	06-19
			246	01-16

		247	07-13
		248	06-06
		249	10-18
		250	06-11
		252	17-05
		253	09-02
		254	05-07
		255	08-15
		256	01-10
		257	06-06
		258	12-08
		259	13-06
		364/261	01-04
		365/261	04-01
		366/262	04-16
		367/262	09-00
		263	00-17
		265	00-08
		266	00-11
		267	05-08
		368/268	04-00
		369/268	10-13
		269	03-09
		270	09-03
		271	06-15
		329/274	02-16
		330/274	08-07
		275	03-18
		276	00-13
		277	11-05
		278	01-19
		279	01-15
		Kitta 106	563-06

District	Tehsil	Village	Khasra No.	Area	
				Bigha	Biswa
Solan	Arki	Sehnali	2		01-14
			3		02-03
			4		01-03
			5		01-02
			6		02-08
			7		02-13
			419/8		02-15
			10		00-17
			12		05-13
			13		01-09
			15		04-15
			16		01-14
			17		00-04
			18		09-02
			19		02-02
			21		00-06
			22		01-08
			23		03-08
			24		01-15
			28		02-06
			29		01-04
			30		02-17
			31		03-03
			32		01-00
			33		01-06
			34		03-03
			35		02-11
			36		01-16
			37		01-02
			38		01-05
			39		01-14
			40		00-15
			385/41		01-04
			42		01-15
			398/43		00-06
			399/43		00-03
			400/43		00-04
			401/43		00-02

		44	07-12
		45	01-06
		46	01-15
		50/1	00-16
		51	00-09
		52	01-07
		57	01-00
		62	07-05
		63	05-16
		64	07-00
		420/67/1	01-10
		421/67/2	01-17
		69	10-14
		72	02-01
		73	02-17
		295	06-12
		296	00-10
		297	00-03
		299	00-12
		300	04-01
		302	00-19
		303	03-02
		304	00-07
		305	00-10
		306	02-12
		307	02-10
		308	02-10
		309	02-13
		310	00-17
		311	00-06
		312	00-03
		313	00-08
		314	00-09
		315	00-15
		316	00-12
		317	09-19
		318	00-07
		319	01-16
		322	00-07
		323	01-01

			324	02-00
			325	00-11
			326	02-09
			327	04-05
			328	04-05
			329	01-17
			Kitta 84	187-00
			Total Kitta 346	Area 1423-02

FOR AND ON BEHALF OF JAYPEE HIMACHAL CEMENT PROJECT.
(A unit of Jaiprakash Associates Ltd.).

Sd/-
(K. P. Sharma)
President

Witness :

1. Sd/-
(Vinod Sharma)
Vice President

Jaypee Himachal Cement Plant
(Unit of Jaiprakash Associates Ltd.)
Vill. Malothi, P.O. Chhakoh,
Distt. Bilaspur (H.P.)-174 001.

2. Sd/-
(Sudhanshu Handa)
Asstt. Manager, JAL.

FOR AND ON BEHALF OF GOVERNMENT OF
HIMACHAL PRADESH.

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Dy. Secretary (Industries) to the
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1. Sd/-
(B. S. Verma)
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